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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,061	01/30/2001	Neal A. Osborn	PALM-3285.US.P	6019

7590 11/19/2003  
WAGNER, MURABITO & HAO LLP  
Two North Market Street, Third Floor  
San Jose, CA 95113

EXAMINER

PAN, YUWEN

ART UNIT	PAPER NUMBER
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2682

DATE MAILED: 11/19/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/773,061

Applicant(s)

OSBORN ET AL.

Examiner

Yuwen Pan

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-12, 14-18, 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Hild et al (US006532368B1).

With respect to claims 1, 8, 14, Hild discloses a method of communicating information comprising the steps of:

Communicating a first electronic business card from a first electronic device to a second electronic device using a wireless communication mechanism (see column 12 and lines 3-10, column 15 and lines 50-57);

Said second electronic device receiving said first electronic business card (see figure 2D, column 12 and lines 46-61);

In response to previous step, said second electronic device automatically displaying a message indicating a user selection (see column 16 and lines 4-13);

Responsive to said user selection, said second electronic device storing said first electronic business card and automatically communicating a second electronic business card to said first electronic device (see column 13 and lines 12-33).

One portable electronic device (see figure 1) comprising:

A processor coupled to a bus (see figure 1 and item 17);

A transmitter and a receiver (see figure 1 and items 21, 22);

A display screen (see column 16 and line 4-13);

A memory (see figure 1 and item 16).

With respect to claims 2,3 and 9,10, Hild further discloses said wireless communication mechanism is infrared communication and substantially compatible with a Bluetooth communication protocol (see column 3 and lines 5-16).

With respect to claims 4,11, 17, Hild further discloses first and second electronic devices are both palm-sized computer (see column 15 and lines 34-49).

With respect to claim 5, Hild further discloses an electronic business card (see column 15 and lines 50-58).

With respect to claim 6, Hild doesn't disclose calendar information. It is inherent that most electronic device such as PDA, computer etc. contains calendar information.

With respect to claim 7, Hild further discloses data base files (see figure 2, local service list).

With respect to claims 12 and 18, Hild further discloses that said first electronic business card represents an owner of said first electronic device and wherein said second electronic business card represents an owner of said second electronic device (see figure 2 and column 15 and lines 50-58).

With respect to claim 20, it is inherent that said display screen is a liquid crystal display screen since almost all the electronic devices have LCDs.

With respect to claims 13 and 19, Hild further discloses accepting first electronic business card (see

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hild et al (US006532368B1).

With respect to claim 13 and 19, Hild discloses a portable electronic device that allows a user to select between accepting said first electronic business card and accepting said first electronic business card and automatically transmitting said second electronic business card (see column 12 and lines 3-10, column 15 and lines 50-57). Hild doesn't disclose rejecting said first electronic business card. The examiner takes "Official Notice" that is notoriously well known in the art to have a rejecting mode, in order to discard or block any unnecessary information if the user is no willing to receive. Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to have this additional rejecting mode such that the user can block or discard any unwanted information.


***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuwen Pan whose telephone number is 703-305-7372. The examiner can normally be reached on 8-5 M-F.

Art Unit: 2682

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

  
Yuwen Pan  
November 7, 2003

  
VIVIAN CHIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600